

the event of an emergency such as a shipwreck or an oil spill.

§922.31 Promotion and coordination of Sanctuary use.

The Secretary shall take such action as is necessary and reasonable to promote and coordinate the use of National Marine Sanctuaries for research, monitoring, and education purposes. Such action may include consulting with Federal agencies, or other persons to promote use of one or more Sanctuaries for research, monitoring and education, including coordination with the National Estuarine Research Reserve System.

Subpart E—Regulations of General Applicability

§922.40 Purpose.

The purpose of the regulations in this subpart and in subparts F through O is to implement the designations of the ten National Marine Sanctuaries for which site-specific regulations appear in subparts F through O, respectively, by regulating activities affecting them, consistent with their respective terms of designation in order to protect, preserve and manage and thereby ensure the health, integrity and continued availability of the conservation, ecological, recreational, research, educational, historical and aesthetic resources and qualities of these areas.

§922.41 Boundaries.

The boundary for each of the ten National Marine Sanctuaries covered by this part is described in subparts F through O, respectively.

§922.42 Allowed activities.

All activities except those site-specific activities prohibited or otherwise regulated in subparts F through O, may be conducted subject to any emergency regulations promulgated pursuant to §§922.44 and 922.111(c), subject to all prohibitions, restrictions and conditions validly imposed by any other authority of competent jurisdiction, and subject to the liability established by section 312 of the Act.

§922.43 Prohibited or otherwise regulated activities.

Subparts F through O set forth site-specific regulations applicable to the activities specified therein.

§922.44 Emergency regulations.

Where necessary to prevent or minimize the destruction of, loss of, or injury to a Sanctuary resource or quality, or minimize the imminent risk of such destruction, loss, or injury, any and all activities are subject to immediate temporary regulation, including prohibition. The provisions of this section do not apply to the Cordell Bank National Marine Sanctuary. See §922.111(c) for the authority to issue emergency regulations with respect to that Sanctuary.

§922.45 Penalties.

(a) Each violation of the Act, any regulation in this part, or any permit issued pursuant thereto, is subject to a civil penalty of not more than \$100,000. Each day of a continuing violation constitutes a separate violation.

(b) Regulations setting forth the procedures governing administrative proceedings for assessment of civil penalties, permit sanctions, and denials for enforcement reasons, issuance and use of written warnings, and release or forfeiture of seized property appear at 15 CFR part 904.

§922.46 Response costs and damages.

Under section 312 of the Act, any person who destroys, causes the loss of, or injures any Sanctuary resource is liable to the United States for response costs and damages resulting from such destruction, loss or injury, and any vessel used to destroy, cause the loss of, or injure any Sanctuary resource is liable *in rem* to the United States for response costs and damages resulting from such destruction, loss or injury.

§922.47 Pre-existing authorizations or rights and certifications of pre-existing authorizations or rights.

(a) Leases, permits, licenses, or rights of subsistence use or access in existence on the date of designation of any National Marine Sanctuary shall not be terminated by the Director. The Director may, however, regulate the